

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Eighteenth day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice V. BHARATHIDASAN

CRIMINAL ORIGINAL PETITION No.3999 of 2021

1 PANJAMOORTHY
2 KALAISELVAN

[PETITIONERS / ACCUSED]

vs

STATE REP.BY
INSPECTOR OF POLICE,
AALIVALAM POLICE STATION,
THIRUVARUR DISTRICT.
CRIME NO.120 OF 2021.

[RESPONDENT]

For Petitioner : M/S.SWAMI SUBRAMANIAN Advocate

For Respondent : MR. S.KARTHIKEYAN, ADDITIONAL PUBLIC PROSECUTOR

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who apprehends arrest for the alleged offences under Sections 294(b), 324 and 506(II) of I.P.C and in Section 4 of TNPHW Act, 2002 in Crime No.120 of 2021, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that there was a land dispute between the petitioners and the defacto complainant. Due to which the petitioners have abused the defacto complainant with filthy language and attacked him with knife and caused injuries to him. Hence, the complaint.

3.Heard the learned counsel appearing for the petitioner.

4. The learned Additional public prosecutor would submit that there was a land dispute between the petitioners and the defacto complainant and the petitioners have attacked the defacto complainant with knife and caused injuries to him. Hence, he opposed for grant of anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and the fact that the injured discharged from the hospital, this court is inclined to grant anticipatory bail to the petitioner with stringent conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Thiruthurai Poondi, Thiruvarur District on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which this petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent Police daily at 10:30 a.m for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

With the above directions this criminal original petition is ordered.

-sd/-

18/03/2021

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

TO

1 THE JUDICIAL MAGISTRATE,
THIRUTHURAIPOONDI,
THIRUVARUR DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
THIRUVARUR [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

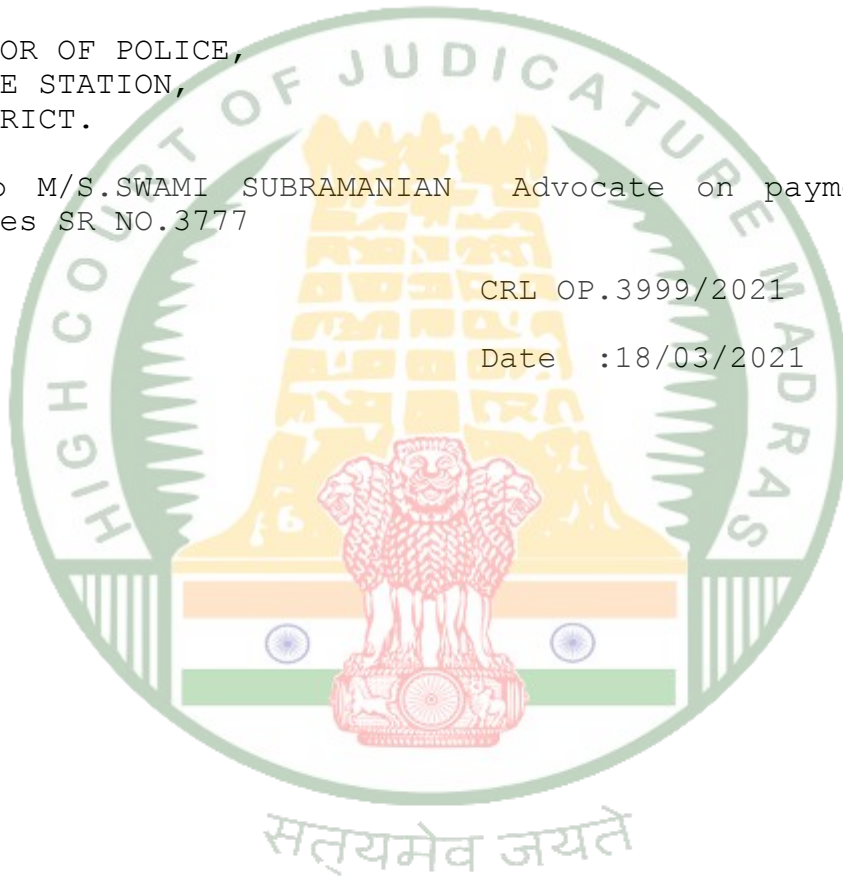
4 THE INSPECTOR OF POLICE,
AALIVALAM POLICE STATION,
THIRUVARUR DISTRICT.

+1CC to M/S.SWAMI SUBRAMANIAN Advocate on payment of
necessary charges SR NO.3777

CRL OP.3999/2021

Date :18/03/2021

MK:26/03/2021



WEB COPY